

SUPREME COURT
COUNTY OF NEW YORK

PHILLIP NELSON BURNS, ET AL

against

GRUPO MEXICO et al

Plaintiff(s)

Defendant(s)

Index No. 114728/04

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)STATE OF NEW YORK, COUNTY OF NEW YORK
party herein, is over 18 years of age and resides at
That on June 15, 2005 1st Amendeddeponent served the within summons, and complaint on CT Corporation for American Mining Corporation, defendant therein named
by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.

INDIVIDUAL

1. ☐

CORPORATION

2. ☒

SUITABLE AGE PERSON

3. ☒

FIXING TO DOOR, ETC.

4. ☐a domestic corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be thereof. 902-777-6220
by delivering thereat a true copy of each to BRIAN PENROD - RECORDS & INFO PROCESSING a person of suitable age
and discretion. Said premises is defendant's actual place of business—dwelling place—usual place of abode—within the state
by affixing a true copy of each to the door of said premises, which is defendant's actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called thereMAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐DESCRIPTION
USE WITH
1, 2, OR 3☐Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at 264828
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐MILITARY
SERVICE☐The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Sworn to before me on 6/15/05

ANTOINETTE LIOTH
Notary Public, State of New York
No. 31-4665114
Qualified in New York County
Commission Expires May 31, 2006MARTY GABE
License #: 1070735

SUPREME COURT
COUNTY OF NEW YORK

PHILLIP NELSON BURNS, ET AL

against

GRUPO MEXICO et al

Plaintiff(s)

Defendant(s)

Index No. 114728/04

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

STATE OF NEW YORK, COUNTY OF NEW YORK

party herein, is over 18 years of age and resides at EAST BRUNSWICK, NJ

SS: The undersigned, being duly sworn, deposes and says; deponent is

That on June 15 2005 1st at Amended M. at 1209 N. Orange Street, Wilmington, DE

deponent served the within summons, and complaint on CT Corporation for SPHC II

merchant therein na

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described said defendant therein.

CORPORATION

2. ☒

a domestic corporation, by delivering thereat a true copy of each to personally; deponent knew said corporation so served to be the corporation described in said summons as said defendant knew said individual to be thereof. 302-777-0210

SUITABLE AGE PERSON

3. ☒

by delivering thereat a true copy of each to BRIAN PENROD - Section Head PROLES a person of suitable and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the

FINDING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐DESCRIPTION
USE WITH
1, 2, OR 3

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that communication was from an attorney or concerned an action against the defendant.

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lb.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lb.

Other identifying features:

THAT I HAVE COMPLETED
THIS AFFIDAVIT OF SERVICE
IN ACCORDANCE WITH
SECTION 22 OF THE
JUDICIAL LAW
6/22/05

USE IN
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the addendum legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

6/15/05
Antoinette Liotti
Notary Public, State of New York
No. 31-4665114
Qualified in New York County
Commission Expires May 31, 2006

NOTARY PUBLIC
STATE OF NEW YORK
NOTARY TO LEG. 100
COUNTY LAW
JUL 14 2005

MARTY GABE
License #: 1070735

JULY 1, 2005, 10:00 AM, 10 pt. type, 1-95

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SUPREME COURT
COUNTY OF NEW YORK

PHILLIP NELSON BURNS, ET AL

Plaintiff(s)

against

GRUPO MEXICO et al

Defendant(s)

Index No. 114728/04

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not

party herein, is over 18 years of age and resides at EAST BRUNSWICK, NJ

That on June 14, 2005 2nd Amended at 9:45 A M, at 1209 N. Orange Street, Wilmington, DE

deponent served the within summons, and complaint on CT Corporation for American Mining Corporation, defendant therein named

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described said defendant therein.

CORPORATION

2. ☒

a domestic corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant a knew said individual to be thereof. 302-777-0220

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to BRIAN PENROD, SECTION HEAD PROCU a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state

FIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises; which is defendant's—actual place of business—dwelling place usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE
USE WITH 1 OR 45A. ☐MAILING TO BUSINESS
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed defendant at defendant's last known residence, at and deposit said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope proper addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that it communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.6. ☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE7. ☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in an capacity, whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

ANTOINETTE LIOTTI
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AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

STATE OF NEW YORK, COUNTY OF NEW YORK

party herein, is over 18 years of age and resides at

EAST BRUNSWICK, NJ

SS: The undersigned, being duly sworn, deposes and says; deponent is

That on June 14, 2005 2nd at 7:45 AM, at 1209 N. Orange Street, Wilmington, DE

deponent served the within summons, and complaint on CT Corporation for SPHC II

defendant therein as

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described

CORPORATION

2. ☒

a domestic corporation, by delivering thereat a true copy of each to personally; deponent knew said corporation so served to be the corporation described in said summons as said defendant knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to BRIAN PENROD - JENKINSON HEAD PROCESS a person of suitable and discretion. Said premises is defendant's actual place of business—dwelling place—usual place of abode—within the

FIRM TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises; which is defendant's actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 ON 45. ☐MAILING TO
BUSINESS
USE WITH 3 ON 46. ☐DESCRIPTION
USE WITH
1, 2, OR 37. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that communication was from an attorney or concerned an action against the defendant.

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Other identifying features:

USE IN
NY CIVIL CT.8. ☐MILITARY
SERVICE9. ☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additic legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

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